

# **Steller Sea Lion Research Initiative (SSLRI)**

## **Permit Application Guidelines**

### **Introduction:**

It is important that all applications conform to the guidelines provided in order to facilitate processing. Applications that do not adhere to the following requirements for content and format will not be considered and will be returned to the applicant. Information should be presented in the designated categories, and in the order listed. Avoid the use of technical jargon to the maximum extent possible, keeping in mind that your application will be reviewed by a variety of individuals with various backgrounds and levels of expertise, as well as being available to the public. In the Proposal section, use bold-face type to designate major headings (i.e. Summary, Introduction, Methods, etc.) and underline for subheadings (i.e. Status of the Species, Justification, etc.). You may use additional, second-level subheadings where you feel it adds to the clarity of the presentation. All applications must have 2.5 cm margins at top, bottom, and on both sides. The type font and size must be readily legible. Line spacing is at the discretion of the applicant. All applications must be accompanied by an electronic copy (MS Word or WordPerfect), which can be included on a 3.5" disk or sent as an email attachment.

### **I. Title of Application:**

“Application for a Permit for Scientific Research or Purposes or to enhance the survival or recovery of a stock under the Marine Mammal Protection Act and the Endangered Species Act.”

### **II. Date of Application**

### **III. Applicant and Personnel**

A. Applicant/Holder, PI, CI, and other Personnel Directly Involved in Taking: State complete name, address, telephone number, and institutional affiliation, if any, of the Applicant/Permit Holder. Note that there can be only one “person” designated as the Applicant/Permit Holder. Also list the Principal Investigator (PI), if other than the Applicant, as well as all Co-Investigators (CI), and any other persons to be directly involved in the taking/capture, import, or export. There can be numerous CIs on an application, but only one PI.

If the Permit Holder is to be an individual or institution other than the PI, please indicate and provide necessary contact information. If the Applicant is an institution, partnership, or corporation, describe the relationship between this entity and the PI.

*NOTE: Please refer to the Glossary of personnel terms for definitions of PI, CI, etc.* If the primary contact is other than the PI, please include their name, address, and telephone number on the application. A fax number and internet mail address for the primary contact person will facilitate permit processing

B. Qualifications and Experience: Provide a curriculum vitae (CV) for each of the individuals listed in Section A above, with sufficient information to assess the qualifications of the individual(s) to perform the proposed activities. CV's should include a list of publications relevant to the proposed research. Also include a justification for the number of individuals necessary to carryout the proposed studies.

#### IV. Proposal

A. **Summary**: Provide a brief summary, not more than 200 words, of the proposed research project. The summary should include a concise statement of the objectives, species, methods to be employed (i.e. the manner in which such activity involves the taking, import, or export of marine mammals, or part(s)), and geographical location. This summary will be published in the Federal Register as part of the Notice of Receipt and should be, to the maximum extent possible, understandable to a lay reader.

#### B. Introduction

1. Hypothesis/Objectives: Provide a clear statement of the work to be undertaken, including objectives and expected nature and significance relative to the objectives of the MMPA and ESA. For scientific research permits, include the hypothesis being tested. For enhancement, describe how the activity(ies) relates to enhancing the survival or recovery of the species.

2. Status of the Affected Stock(s)

a. **Species description**: List the species (common and scientific names) and, where applicable, the subspecies or population group(s) that may be taken. For any activities in the wild, also list any species that may be taken incidentally during the course of collection activities (*i.e.*, non-target species), including non-marine mammal species such as sea turtles.

b. **Life History and Population Status**: For animals in the wild, provide a summary of the best available information concerning the status of the affected species or stock(s) and factors affecting this status (cite sources). This summary should include a description of each species' life history, population dynamics, estimates of abundance and distribution (both current and historic), and current threats to the species or its habitat. Also indicate the status of the species or stock under the MMPA, ESA, and CITES.

3. Literature Review: Provide a thorough review of the current knowledge of the problem under investigation, with appropriate citations.

#### C. Methods

1. Justification: Provide an explanation of the rationale for the methodology, and sufficient information to justify the choice of species, number of animals to be used (a power analysis will expedite processing), and any necessary exposure of animals to discomfort, pain, or injury.

If the proposed research will or may cause stress, pain, or suffering, explain why there are no feasible alternative methods for obtaining the data or information being sought. Describe any measures to be taken to minimize such adverse effects of the research and to ensure that the taking or other permitted activity will be conducted in a humane manner. If the applicant has consulted with an animal care committee or similar oversight group, include their assessment, advice or recommendations concerning the proposed research.

If the research involves a species or stock listed as endangered or threatened under the ESA, or designated as depleted under the MMPA, provide an explanation of why the proposed research cannot be conducted using an alternative species or stock that is not listed. Explain how the expected research results would benefit the species or stock or contribute significantly to fulfilling a critically important research need. For example, explain how the research contributes to the objectives identified in the species recovery or conservation plan.

2. Duration of the Project and Locations of Taking: Specify the overall duration of the research project, including specific dates and locations of the proposed taking, import, or export. Dates and locations should be identified as specifically as possible, including ports of entry/export.

3. Types of Taking Involved and Estimate of Numbers of Animals that Would be Taken: Provide a narrative account of the manner in which marine mammals will be taken (e.g. aerial survey, photo-identification, tagging, biopsy sampling, capture, etc), including an estimate of the maximum number of individuals that will be taken annually, by species, sex, age, reproductive condition, and location. State whether individual animals will be taken more than once (e.g. recapture for instrument retrieval) and the frequency of the take per individual. Also state whether the same animals will be taken in more than one manner, and if so, how (e.g. capture, blood sample, biopsy, and flipper tag). Also include this data in the form of a Take Table (See Appendix A for an example).

Describe all procedures in detail (including capture and restraint techniques; invasive procedures; sample preservation, transport and analysis procedures, etc.) citing references where applicable. If the application is for a new procedure, provide sufficient information to allow evaluation of its relative merits. Provide a complete description (weight and dimensions) of any equipment to be attached to an animal (e.g. TDR, VHF tag, flipper tag), as well as the method of attachment and removal.

*It is important to account for multiple takes per individual animal. For example, a researcher working with 120 harbor seals may want to flipper tag all 120, bleach mark 70, collect blood samples from 50 and attach satellite tags to 20. It is important to clearly indicate how many individuals would have all these procedures vs. how many would only have some of the procedures.*

Indicate the anticipated effects on the animal of all proposed activities (i.e. stress, pain, suffering, effect on foraging, mating, nursing, or other behaviors, etc.) on the individual animals as well on the stock as a whole, and any mitigating measures that will be used to minimize such adverse effects. Also describe any potential effects of incidental harassment, either to conspecifics or other protected species in the area. Indicate the number of animals, by species and location, that are expected to be incidentally harassed in the Take Table.

Describe how, where, and when data and/or samples will be analyzed (including statistical analyses that will be employed). If any analyses or other portions of the proposed research will be contracted out or otherwise completed by persons not listed in this application, attach statements of agreement from these collaborators to the application. Also attach copies of any relevant formal research proposals or contracts that would demonstrate the financial resources available to the applicant to conduct and complete the proposed activities.

a. ***Description of parts or specimen samples:*** Indicate all part(s)/sample(s) that will be taken, imported, or exported, including a description of size (e.g. 5 mg blubber biopsy) or volume (e.g. 50 ml blood) where applicable. Provide a description of the part(s) including the number of coding where such part(s) have been labeled or have otherwise been marked previously; the original source of the part(s) (e.g., beached or stranded animals, captive animals, animals obtained from the wild, imported, or unknown); the location and date of original collection; and the name/identity of the collector.

Provide a description of what arrangements have been made, if any, for their disposition. For example, describe arrangements made with a museum or other institutional collection to ensure that hard and soft tissues of present or potential future interest will remain available for scientific research or enhancement purposes. Please note that NMFS has established a National Marine Mammal Tissue Bank that is a source and repository of material for qualified researchers. For more information contact the Director, Office of Protected Resources (301) 713-2319.

b. ***Removing animals from the wild/ research on captive animals:*** In addition to the above information, when proposing to remove an animal from the wild,

(1) Explain why suitable animal(s) cannot be obtained from captive stock.

(2) Provide a description of the enclosure to be used for containment and transport, mode of transportation, special care during transport, and the length of time required for the transfer from the capture site to the initial holding facility, and then to the permanent holding facility.

(3) If the source stock is to be beached/stranded marine mammals, indicate the name and location of the rehabilitation facility;

(4) If the source stock is from marine mammals already in captivity (other than beached/stranded animals) indicate the name and location of the facility, and identify the specific animals involved in the proposed activity;

(5) Include a copy of any license or registration issued by the Animal and Plant Health Inspection Service (APHIS) of the U.S. Department of Agriculture, any outstanding variances granted by APHIS, and the most recent APHIS inspection report;

(6) Include the comments and recommendations of any relevant Institutional Animal Care and Use Committee established under the Animal Welfare Act (AWA) (7 U.S.C. 2131 et seq.);

(7) Provide a written statement from the responsible veterinarian certifying that the facilities, methods of care and maintenance, and methods of transport will be adequate to ensure the well-being of the marine mammals and comply with all applicable care and transport standards established under the AWA;

(8) If release of captive marine mammals to the wild is proposed, state the length of time the animals will be held, and describe the protocols for the release addressing mitigation measures for the following concerns:

- disease transmission between both released animals and the wild population;
- unwanted genetic exchanges between introduced and endemic stocks;
- ability of the released animals to forage and protect themselves from predators; and
- elimination of behavioral patterns acquired during captivity that could prove detrimental to the released animals or the social structure of local populations.

c. ***Import/Export of Marine Mammals/Marine Mammal Parts:*** When applicable, describe the import/export of marine mammals or parts, including: the country of exportation (*i.e.*, the country from which the marine mammal or marine mammal part is to be imported into the United States) and the country of origin (*i.e.*, the country where the animal was originally taken from the wild) if different from the country of exportation. For exports, provide the destination country.

Provide a description of how the marine mammal(s) or marine mammal part(s) to be imported was taken in the country of origin. State whether the animals were, at the time of taking, either pregnant or lactating, or either unweaned or less than eight months old, whichever occurred later. If so, provide

full justification for taking marine mammals under such circumstances. If the marine mammal(s) or marine mammal part(s) was subsequently exported to a country different from the country of origin, cite the date(s), and the manner and circumstances under which it was imported into the country of exportation.

If the import is necessary for the protection or welfare of the marine mammals, discuss the circumstances involved and any alternatives considered.

d. ***Lethal Take***: If an intentional lethal take is involved, provide an explanation of why a non-lethal method is not feasible and how the research results will directly benefit the species or stock, or fulfill a critically important research need.

**IMPORTANT**: If *unintentional* mortality is possible, indicate the maximum number of animals from each species that may be killed. Any requests for capture activities should also specify a number for unintentional mortality.

4. Publication of Results: Indicate where and, if possible, when the research results are expected to be published or otherwise made available to the public and the scientific community.

#### **D. National Environmental Policy Act (NEPA) Considerations**

Under the National Environmental Policy Act (NEPA), NMFS is required to determine if an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) is required, or if the research activity is categorically excluded from the requirement to prepare an EA or EIS. In order for NMFS to make this determination, describe whether:

- (a) The research involves new, innovative, controversial, or experimental equipment or techniques;
- (b) the research techniques are likely to be adopted by other researchers;
- (c) the location in which the research will be conducted is of special importance to other marine mammals;
- (d) the proposed activities involve unique or unknown risks or whether the likely effects are highly uncertain;
- (e) any aspect of the research possibly affects the public health or safety of humans;
- (f) the activity may have a significant cumulative effect, considering existing and potential activities;
- (g) the activity causes loss or destruction of significant scientific, cultural, or historic resources;

(h) there will be an adverse effect on endangered or threatened populations or stocks or their habitat;

(i) the activity is in violation of a Federal, State, or local law for environmental protection.

## **V. Previous and Other Permits**

- A. Previous Permits: If issued previous permits for the taking, import, or export of marine mammals and a final report has not yet been submitted, ensure that all required reports to date have been submitted
- B. Other Permits: Indicate whether other Federal and State permits (*e.g.*, Fish and Wildlife Service, NOAA Marine Sanctuaries, the Army Corps of Engineers) are being sought in connection with the requested research. Please note that research in the coastal zone surrounding various states including Alabama, Hawaii, Washington, and Guam and the Commonwealth of the Northern Marianas, must meet the criteria for Coastal Zone Consistency before a permit can be issued. These jurisdictions have up to six months to make a determination of consistency. It is the applicant's responsibility to seek this determination. Please state in the application if such a determination has been sought and when a decision is expected.

## **VI. Special Considerations for Applicants Working Abroad (for Exports of Parts/Samples or Live Animals from the U.S.)**

Foreign applicants requesting the export of marine mammals, or marine mammal parts/products from the United States, must submit their applications to NMFS through the appropriate agency of the foreign government (*e.g.*, the CITES management authority). The appropriate agency of the foreign government must certify the accuracy of the information submitted in the application.

Additionally, if the application is for the export from the United States of **living animals** subject to the MMPA, ESA, or FSA, then the appropriate agency of the foreign government must certify that:

the laws and regulations of the government involved allow the enforcement of requirements equivalent to the requirements of the ESA, MMPA, FSA, and AWA, as applicable, and that government will enforce such requirements.

## **VII. Literature Cited**

References are required for any cited material and must include: the names of all authors, article title, book or journal title, volume number, page numbers, year of publication, name and location of publisher. For technical memorandum, thesis, or other similar publications, sufficient information should be provided to allow for document retrieval. Please note that

all referenced materials must be made available to the Permits Division upon request, as needed for evaluation of the application.

### **VIII. Certification and Signature**

The following Certification, followed by the Signature, Name, and Title of the Applicant or responsible party, must be submitted as the concluding section of the application.

**"I hereby certify that the foregoing information is complete, true, and correct to the best of my knowledge and belief. I understand that this information is submitted for the purpose of obtaining a permit under one or more of the following statutes and the regulations promulgated thereunder, as indicated in Section I. of this application:**

**The Endangered Species Act of 1973 (16 U.S.C. 1531-1543) and regulations (50 CFR 222.23(b)); and/or**

**The Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) and regulations (50 CFR Part 216); and/or**

**The Fur Seal Act of 1966 (16 U.S.C. 1151-1175).**

**I also understand that any false statement may subject me to the criminal penalties of 18 U.S.C. 1001, or to penalties provided under the Endangered Species Act of 1973, the Marine Mammal Protection Act of 1972, or the Fur Seal Act of 1966, whichever are applicable."**

- Signature of Applicant and Date of Signature
- Typed or Printed Name of Applicant
- Title of Applicant

Submit an original and two signed copies of the completed application to:

Chief, Permits Division, F/PR1  
Office of Protected Resources  
National Marine Fisheries Service  
1315 East-West Highway, Room 13705  
Silver Spring, Maryland 20910-3226

These guidelines are based on the Office of Protected Resources, Permits Division's "*Application Instructions and Supplemental Information for Permits under the Marine Mammal Protection Act, Endangered Species Act, Fur Seal Act for Scientific Research or Enhancement*" that have been approved by the Office of Management and Budget and assigned a control number (OMB No. 0648-0084, Expires 7/31/2003).

All permit documentation including the application, permit and amendments, reports, and inventory information required herein, is considered public information and as such, is subject to the Freedom of Information Act (FOIA). All responses to the collection of information are required to obtain a permit.

#### **APPENDICES:**

Glossary of Terms  
Application Checklist

## **Glossary of Terms**

**Applicant/ Permit Holder** - Person, institution, or agency who is ultimately responsible for all activities of any individual who is operating under the authority of the permit.

**Principal Investigator (PI)** - The individual primarily responsible for the taking, importation, export, and any related activities conducted under the permit issued for scientific research or enhancement.

**Co-investigators (CI)** - The on-site representative of the PI. Conducts or directly supervises the conduct of the taking, import, and export activities authorized under a Permit.

**Research Assistants** - Individuals who work under the direct supervision of the PI and/or CI (i.e., the **Researchers**), and who are authorized to record data and serve as safety observers and boat tenders.

## MOST FREQUENTLY OMITTED INFORMATION

### **CHECKLIST - Did you include:**

- ☐ **Justification**
- ☐ **Capture**
  - ☐ methods
  - ☐ # of captures per animal
- ☐ **Restraint**
  - ☐ kind/combinations of drugs
  - ☐ dosage by weight of animal
  - ☐ reversible agents or equipment to resuscitate
- ☐ **Tags [including electronic packages]**
  - ☐ type
  - ☐ method of attachment
  - ☐ weight, dimensions, location
  - ☐ number of tags per animal
  - ☐ tag recovery
  - ☐ tag duration
  - ☐ method of release]
- ☐ **Surveys**
  - ☐ aerial [minimum altitude, frequency, transact methodology]
  - ☐ boat [minimum approach distance]
  - ☐ ground [method, number of people involved]
- ☐ **Biopsy sampling** [type, amount, number]
- ☐ **Blood sampling** [number of times, amount each sample]
- ☐ **Classification** [age, sex, reproductive condition]